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MAR 10 1994

March 10, 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BY HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Room 222
Federal Communications Commission
Washington, D.C. 20554

Re: Exempt Ex Parte Presentation
in MM Docket Nos. 92-266

Dear Mr. Caton:

An original and one copy of this letter are being filed in Docket No. 92-266 as notification of exempt ex parte communications pursuant to 47 C.F.R. § 1.1204(b)(7). See also 47 C.F.R. §§ 1.1203(c), 1.1206(a)(3).

On March 4, 1994, Mr. William E. Kennard, General Counsel of the Federal Communications Commission, and Mr. Bruce A. Romano, Assistant Deputy Chief of the Cable Services Division, contacted me by telephone and requested that I clarify, and provide evidence supporting, an ex parte presentation my colleague, Mr. William E. Cook, and I made on the morning of February 15, 1994 to Mr. Kennard, before issuance of the Sunshine Notice that included this docket. During our February 15th meeting with Mr. Kennard, we discussed the need for the Commission to extend the rate review period under 47 C.F.R. § 76.933 for franchising authorities that initiated the rate review process pursuant to 47 C.F.R. § 76.930 prior to expiration of the rate freeze, and which therefore may be required to make a rate decision prior to the expiration of the rate freeze (May 15, 1994). A copy of the ex parte letter we filed with the Commission following the meeting with Mr. Kennard is enclosed.

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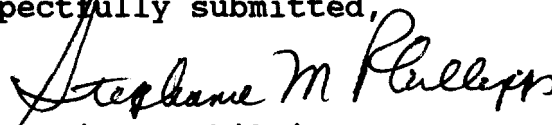
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Mr. William F. Caton
March 10, 1994
Page 2

In response to a request Mr. Romano made during a follow-up conversation Mr. Romano had on March 4th with Mr. Cook and myself, Mr. Cook and I contacted Mr. Romano by telephone on March 7th and, pursuant to Mr. Romano's March 4th request, further clarified and provided evidence in support of our request that the Commission extend the rate review period for franchising authorities which may be required to make a rate decision prior to expiration of the rate freeze. In this regard, we informed Mr. Romano that: (a) the Orders containing cost-of-service and external cost rules would provide guidance to franchising authorities in cost-of-service proceedings and to franchising authorities who may look to such rules to determine how to allocate, for example, franchise fees and equipment costs in determining reasonable basic cable rates; (b) the Orders may clarify issues parties had raised related to how to complete FCC Form 393, particularly with regard to determining equipment and installation costs; and (c) the Orders might provide franchising authorities guidance, for example, in approving bulk rate discounts for multiple dwelling units.

Please contact me if you have any questions regarding this matter.

Respectfully submitted,


Stephanie M. Phillipps

Enclosure

cc: William E. Kennard, Esq.
Bruce A. Romano, Esq.

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February 15, 1994

BY HAND

Mr. William F. Caton
Acting Secretary
Room 222
Federal Communications Commission
Washington, D.C. 20554

Re: Ex Parte Presentation in
MM Docket Nos. 92-266


Dear Mr. Caton:

In accordance with the Commission's ex parte rule, 47 C.F.R. §1.1206, an original and one copy of this letter are being filed in Docket No. 92-266 as notification that my colleague William E. Cook, Jr. and I met this morning with William E. Kennard, General Counsel of the Federal Communications Commission.

We discussed the need for the Commission to extend the rate review period under 47 C.F.R. § 76.933 for franchising authorities which have initiated the rate review process pursuant to 47 C.F.R. § 76.930 prior to expiration of the rate freeze, and which therefore may be required to make a rate decision prior to the expiration of the rate freeze (May 15, 1994). Specifically, we urged that the Commission amend 47 C.F.R. § 76.933 to grant such franchising authorities the option of extending the rate review period until a minimum of 30 days after the expiration of the rate freeze in order to permit such franchising authorities to take into account any new or modified rate rules the Commission may adopt on February 22, 1994.

Please contact me if you have any questions regarding this matter.

Respectfully submitted,


Stephanie M. Phillipps

cc: William E. Kennard, Esq.